



"I will stand for my client's rights.
I am a trial lawyer."
-Ron Motley (1944-2013)

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VIA ECF

August 28, 2019

The Honorable George B. Daniels
U.S. District Judge
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

The Honorable Sarah Netburn
U.S. Magistrate Judge
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*
Case No. 03 MDL 1570 (GBD)(SN)
Burnett, et al. v. The Islamic Republic of Iran, et al.,
Case No. 15-CV-9903 (GBD)(SN)
Arias, et al. v. The Islamic Republic of Iran, et al.,
Case No. 19-CV-41 (GBD)(SN)
Prior, et al. v. The Islamic Republic of Iran, et al.,
Case No. 19-CV-44 (GBD)(SN)

Dear Judge Daniels and Magistrate Judge Netburn:

We write to you today as counsel of record in the above-captioned cases to raise issues that are time sensitive to plaintiffs with pending cases against Iran whose judgments have not been entered to date. Undersigned counsel write to apprise the Court of certain imminent deadlines that are approaching for claims proceeding against Iran. We do so to not prejudice our clients by failing to obtain the relief sought.

As the Court is aware, judgments entered against the Islamic Republic of Iran may be considered eligible for participation in the U.S. Victims of State Sponsored Terrorism Fund ("USVSSTF") that is administered by the U.S. Department of Justice. **The USVSSTF has set a deadline of September 13, 2019 for the submission of applications to be eligible for the next round of compensation that is anticipated to take place next year.** With regard to past deadlines associated with the USVSSTF, this Court has expeditiously addressed motions for partial final judgment to permit claims to be filed with the USVSSTF in advance of deadlines set by that Fund. The effort put forth by the Court with regard to past Fund deadlines is appreciated, and we wish to assist the Court in any manner possible to accomplish this as efficiently as possible.



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For these reasons, we request a telephonic conference with the Court as soon as possible to resolve any issues regarding the issuance of default judgments against Iran. Currently, the *Burnett* plaintiffs have two motions pending with the Court: ECF No. 4790 (filed on August 9, 2019) seeking to correct the judgment entered by Judge Daniels on July 29, 2019; and ECF No. 4893 (filed on August 19, 2019) seeking judgment against Iran on behalf of a subset of our client. We were informed in a call to Judge Daniels' chambers on August 26, 2019, that ECF No. 4790 has been referred to Magistrate Judge Netburn and that ECF No. 4893 is on Judge Daniels' desk for consideration. The *Burnett* plaintiffs will likely seek at least two additional motions for partial final judgment, and the *Arias* and *Prior* plaintiffs – also represented by undersigned counsel – will not be able to seek their liability judgment until September 3, 2019 (60 days after service on Iran).

We seek the Court's counsel on how to best effectuate these motions in the tight timeline remaining without creating an overly burdensome task for the Court.

We are prepared to proceed with a call whenever the Court is available.

Respectfully,

By: /s/ John M. Eubanks
John M. Eubanks, Esq.

cc: All Counsel of Record via ECF